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*Attorneys for Defendant*  
COSTCO WHOLESALE CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RAFAELA JACQUEZ, an individual,

Plaintiff,

vs.

COSTCO WHOLESALE CORPORATION, a  
Corporation; ROBERT FERGUSON, an  
individual, and DOES 1 to 100 Inclusive,

Defendants.

Case No. 4:22-cv-03718-HSG

**JOINT STIPULATION TO PERMIT  
DEFENDANT COSTCO  
WHOLESALE CORPORATION TO  
TAKE THE DEPOSITIONS OF  
PLAINTIFF'S TREATING  
PHYSICIANS AFTER FACT  
DISCOVERY DEADLINE; ORDER**

The Hon. Haywood S. Gilliam, Jr.

Action Filed: May 6, 2022

**RECITALS**

The parties to this action, by and through their respective attorneys of record, respectfully submit the following Stipulation to permit Defendant Costco Wholesale Corporation ("Costco") to take certain treating physician depositions after the deadline to complete fact discovery.

WHEREAS, the deadline to complete fact discovery was June 23, 2023;

1 WHEREAS, mediation in this case is scheduled for August 7, 2023, with Mitchell M.  
2 Tarighati, Esq., of ADR Services, Inc.;

3 WHEREAS, Costco took the deposition of the Plaintiff on May 2, 2023;

4 WHEREAS, Costco took the depositions of Roman Cardena and Zoila Cardena on June  
5 12, 2023. Mr. Cardena and Ms. Cardena were identified by Plaintiff as witnesses to her claims  
6 for damages;

7 WHEREAS, Costco took the deposition of Pablo Bracamonte on June 14, 2023. Mr.  
8 Bracamonte was identified by Plaintiff as a witness to her claims for damages;

9 WHEREAS, on May 17, 2023, Costco noticed the deposition of Joshua Quaas, M.D., for  
10 May 31, 2023. Dr. Quaas is one of Plaintiff's treating physicians.

11 WHEREAS, on May 25, 2023, Costco noticed the deposition of Melissa Chancellor, PA,  
12 for June 16, 2023. Ms. Chancellor is one of Plaintiff's treating physicians;

13 WHEREAS, on May 25, 2023, Costco noticed the deposition of Thomas Dalton, M.D.,  
14 for June 15, 2023. Dr. Dalton is one of Plaintiff's treating physicians;

15 WHEREAS, on May 25, 2023, Costco noticed the deposition of Christopher Lemaster,  
16 M.D., for June 15, 2023. Dr. Lemaster is one of Plaintiff's treating physicians;

17 WHEREAS, on May 25, 2023, Costco noticed the deposition of Sharon Jones, M.D., for  
18 June 16, 2023. Dr. Jones is one of Plaintiff's treating physicians;

19 WHEREAS, all of the aforementioned treating physician depositions were timely  
20 noticed prior to any discovery deadlines, and proper notice was given to all parties and non-  
21 parties alike;

22 WHEREAS, Dr. Quaas, Dr. Dalton, Dr. Jones, Dr. Lemaster, and Ms. Chancellor were  
23 not available on the date that Costco set for their depositions;

24 WHEREAS, due to scheduling conflicts on the part of Dr. Quaas, Dr. Dalton, Dr. Jones,  
25 Dr. Lemaster, and Ms. Chancellor, Costco was forced to re-schedule their depositions to dates in  
26 July so as to accommodate their schedule and availability. Because the fact discovery deadline  
27 was on June 23, 2023, all of these depositions would need to take place after the fact discovery  
28 deadline;

WHEREAS, taking the depositions of Plaintiff's treating physicians is critical for Costco to properly evaluate this case and Plaintiff's claims for damages, and prepare this case for mediation in August;

WHEREAS, the parties wish to participate in mediation in good faith, and to devote their efforts at resolving this matter; however, in order for Costco to do that, it needs to conduct the aforementioned depositions prior to mediation;

WHEREAS, based on the foregoing, Costco requires additional time to conduct the depositions of Plaintiff's treating physicians, and the parties have stipulated to allow Costco to conduct these depositions after the fact discovery deadline;

WHEREAS, the parties will not be prejudiced by allowing Costco to conduct the depositions of Joshua Quaas, M.D., Melissa Chancellor, PA, Thomas Dalton, M.D., Sharon Jones, M.D., Christopher Lemaster, M.D.

WHEREAS, irrespective of this stipulation, the parties do not intend to modify the limitation on the number of the allowed oral depositions pursuant to Federal Rules of Civil Procedure Rule 30(a)(2)(A)(i).

### **STIPULATION**

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel of record that Costco is permitted to take the depositions of Joshua Quaas, M.D., Melissa Chancellor, PA, Thomas Dalton, M.D., Sharon Jones, M.D., and Christopher Lemaster, M.D., after the fact discovery deadline.

**IT IS SO STIPULATED.**

Dated: July 12, 2023

**FREEMAN MATHIS & GARY, LLP**

By: /s/ Jordan M. Meeks  
 Sharon C. Collier  
 Jordan M. Meeks  
 Attorneys for Defendant  
 Costco Wholesale Corporation

1 Dated: July 12, 2023

LYFE LAW, LLP

2  
3 By: /s/ Soheil Bahari  
4 Soheil Bahari  
5 Attorneys for Plaintiff  
6 Rafaela Jacquez

7  
8 **ORDER**

9 IT IS SO ORDERED.

10  
11 DATE: 7/12/2023

12   
13 HON. HAYWOOD S. GILLIAM, JR.